

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

CAMOFI MASTER LDC,

Plaintiff,

- against -

LISKA BIOMETRY, INC., LISKA IMAGING, INC., DCS
LISKA EUROPE, INC., DCS EUROPE, INC., DCS LISKA,
INC., and DIGITAL CARD SYSTEMS, INC.,

Defendants.

LISKA BIOMETRY, INC., LISKA IMAGING, INC., DCS
LISKA EUROPE, INC., DCS EUROPE, INC., DCS LISKA,
INC., and DIGITAL CARD SYSTEMS, INC.,

Third-Party Plaintiffs

- against -

CENTRECOURT ASSET MANAGEMENT, LLC

Third-Party Defendant

**Case No.: 1:09-CV-00058
ECF Case (AKH)**

**DEFENDANT LISKA'S
COUNTERCLAIM / PLAINTIFF'S
AND THIRD-PARTY PLAINTIFF'S
FRCP RULE 26(a) INITIAL
DISCLOSURES**

PLEASE TAKE NOTICE, that Defendants, Counterclaim Plaintiffs and Third-Party Plaintiffs LISKA BIOMETRY, INC., LISKA IMAGING, INC., DCS LISKA, INC., DCS LISKA EUROPE, INC., DCS EUROPE, INC. and DIGITAL CARD SYSTEMS, INC., collectively ("LISKA"), by their attorney, Grashow Long, Steven K. Long, Esq., submit the following disclosures pursuant to Fed.R.Civ. P. 26(a). Pursuant to Fed.R.Civ. P. 26(e), LISKA reserves the

right to supplement the disclosures made herein as discovery and the LISKA investigation progresses.

1. **Witnesses and Discoverable Information (Fed.Civ.R. P. 26(a)(1)(A)(i))**

Mr. Charles Benz
4 Woodchester Drive
Acton, MA 01720
508-574-4390

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents; Centrecourt / Camofi ("Camofi Parties") liability to Liska under Counterclaims / Third-Party Claims, specifically Camofi Parties representations, actions and the impact of same upon Liska, other third-party Liska investors, and other areas to be determined.

Mr. Christopher LeClerc
c/o Liska Biometry, Inc.
177 Bow Street Ste 106
Portsmouth, NH 03801
603-540-0828

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents; Centrecourt / Camofi ("Camofi Parties") liability to Liska under Counterclaims / Third-Party Claims, specifically Camofi Parties representations, actions and the impact of same upon Liska, other third-party Liska investors, and other areas to be determined.

Virginia Sourlis, Esq.
Sourlis Law Firm
The Galleria
2 Bridge Ave
Red Bank, NJ 07701
732-530-9007

Liska Counsel with knowledge concerning the negotiations and subject loan documents between Camofi Parties and Liska.

John O'Shea
Westminster Securities
100 Wall Street, 7th Floor
New York, NY 10005
212-878-6500

Discussions and negotiations with regard to Liska investment opportunities.

Adam Benowitz
Vision Capital Advisors
20 West 55th Street, 5th Floor
New York, NY 10019
212-849-8225

Discussions and negotiations with regard to Liska investment opportunities.

Mr. Robert Korkus
Vertex Advisory Group
91 Broadhollow Road
Melville, New York 11747

Open issues concerning Liska Defendants' liability under the subject loan documents and due diligence re: same; and other areas to be determined.

Vincent J. McGill, Esq.
Eaton & Van Winkle LLP
3 Park Avenue, 16th Floor
New York, New York 10016

Liska Defendant's liability under the subject loan documents, Eaton & Van Winkle involvement in drafting same, and other areas to be determined.

Jeffrey Haas
15 Saw Mill Lane
Cold Spring Harbor, New York 11724

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined. The pattern, practice and conduct of Camofi Parties relative to Liska and its other SEC 13G client companies ("Clients"). Discovery shall include, but not be limited to, an investigation of all amendments and modifications to initial loan/investment documents relative to Clients, and circumstances related thereto; technology, marketing, and financial assistance provided to Clients; valuation of Liska as carried on the Camofi Parties balance sheets; management and cash fees generated by Camofi Parties relative to Liska; valuations of Clients as carried on the Camofi Parties balances sheets; management fees generated by Camofi Parties relative to Clients; profit/loss reporting to Camofi Parties investors; hedge fund growth and redemptions as recorded by Camofi Parties.** [** *Applicable to each Camofi Parties Representative(s)*].

Keith Wellner, Esq.
Chief Operating Officer
West Capital Management, LLC
264 Riverside Avenue
Westport, CT 06880

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined.

Richard Smithline
Chief Executive Officer
Centrecourt Asset Management LLC
350 Madison Avenue, 8th Floor
New York, New York 10017

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined. **

Richard Edelson, CFO
Centrecourt Asset Management LLC
350 Madison Avenue, 8th floor
New York, New York 10017
646-758-6750

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined. **

Michael Loew, General Counsel
Centrecourt Asset Management LLC
350 Madison Avenue, 8th floor
New York, New York 10017
646-758-6750

Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined. **

Stephen Onody, CEO
Robert Roever, Director
Amerex Group, Inc.
1105 N. Peoria
Tulsa, Oklahoma 74106

Discussions concerning Mr. Roever's relationship with Centrecourt. Liska Defendant's discussions and negotiations concerning, and liability under the subject loan documents and/or the CAMOFI Parties' liability to Liska Third-Party Plaintiff's Counterclaims / Third-Party Claims including representations and statements, concerning, as well as services provided or to be provided, to Liska or other Camofi Parties clients; and other areas to be determined.

William Bopp, CEO
Robert Mathews, CFO
Viking Systems, Inc.
134 Flanders Road
Westborough, MA 01581
508-366-3668

Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Elwood Sprenger, CEO
W. Jamie Plante, CFO
Marshall Holdings International, Inc.
3085 Directors Row
Salt Lake City, Utah 84104
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Alexander Weis, CEO
Michael Edwards, CFO
Oncovista Innovative Therapies, Inc.
14785 Omicron Drive, Suite 104
San Antonio, Texas 78245
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Francis Wilde, CEO
Riptide Worldwide, Inc.
200 East Palm Drive, 2nd Floor
Oviedo, Florida 32765
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Douglas Simpson, CEO
William Critchfield, CFO
Corgenix Medical Corporation
11575 Main Street, Number 400
Broomfield, CO 80020
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

David Duquette, Chairman/President
Josef Czikmantori, Secretary/Director
9835 Romandel Ave.
Santa Fe Springs, CA 90670
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Steven Lord, CEO
Donald Bernard, CFO
Knobias, Inc.
415 Bedford Road
Pleasantville, NY 10570
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Bruce Kehr, CEO
Harry Stokes, CFO
InforMedix Holdings, Inc.
Georgetowne Park
5880 Hubbard Drive
Rockville, MD 20852
Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Thomas Moore, CEO
Fredrick Cobb, CFO
Advaxis, Inc. - The Technology Centre of New Jersey
675 Route 1, Suite 119
North Brunswick, NJ 08902

Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Anthony Fidaleo, COO, CFO
iMedia International, Inc.
1721 21st Street
Santa Monica, CA 90404

Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

Cody Corrubia
Viewpoint Securities
888 Prospect Street Suite 210
La Jolla, CA 92037
858-480-2800

Discussions and negotiations concerning, and liability under similar subject loan documents, or transactions with CAMOFI Parties.

2. **Documents (Fed.R.Civ. P. 26(a)(1)(A)(ii))**

LISKA will make available those non-privileged, relevant documents that are in their possession, custody or control, and that tend to support LISKA's claims in this action and the LISKA defenses in this action.

Liska shall make available, including, but not limited to, all relevant documents that are in their possession, including but not limited to, correspondence between the parties, applicable emails, financial projections, applicable financial and accounting records, applicable computer files and records. Documents are located at the following Liska offices:

Liska Defendants
c/o Charles Benz
4 Woodchester Drive
Acton, MA 01720

Liska Defendants
c/o Chris LeClerc
177 Bow Street Ste 106
Portsmouth, NH 03801

Liska Imaging
2222 E. McDowell Road
Phoenix, AZ 85006

3. **Damages (Fed.R.Civ. P. 26(a)(1)(A)(iii))**

LISKA will seek all actual, statutory, direct, consequential, liquidated and/or incidental damages, which are set forth in the Verified Answer and Counterclaim, and Third-Party Complaint, including, but not limited to:

- A. Lost revenues, operating profits and other special and consequential damages in an amount to be determined by commercial and expert valuation, including, but not limited to:
 - i. Liska Defendants shall seek lost market value of the organizations as determined by expert valuation: i. Liska Stock value \$.30 / share (June 6, 2007); ii. Liska Stock value \$.0009 / share (May 1, 2009)
 - ii. Capital Investment Losses incurred by Liska Defendants: i. In excess of \$5,000,000.00.
 - iii. Fees and expenses paid to Centrecourt in an amount in excess of \$250,000.00.
- B. Punitive damages in an amount to be determined at trial.
- C. Interest and costs in an amount to be determined at trial.
- D. Other damages in an amount to be determined at trial.

4. **Insurance Agreements (Fed.R.Civ. P. 26(a)(1)(A)(iv))**

Not applicable.

Dated: Williamsville, New York
May 6, 2009

By: /s/ Steven K. Long
Steven K. Long (sl2009)
Attorney for Counterclaim Defendants,
Third-Party Plaintiffs
Grashow Long
5780 Main Street
Williamsville, New York 14221
(716) 634-7400
skl@grashowlong.com

TO: David C. Berg, Esq. (DB 4089)
Law Offices of David C. Berg
Attorneys for Plaintiff/Counterclaim-Defendant
and Third-Party Defendant
425 Madison Avenue, 11th Floor
New York, New York 10017
(212) 829-0400